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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,419	03/02/2000	Joseph E. Nelson		4393

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EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT PAPER NUMBER

3628

DATE MAILED: 08/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/517,419

Applicant(s)

NELSON ET AL.

Examiner

Siegfried E. Chencinski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-12 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6-12 and 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

In view of the appeal brief filed on May 28, 2003, PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Re. Claims 1, 2 and 4 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Novastar Financial, Inc. Announces On-Line Automated Loan Origination and Approval As Fannie Mae Seller/Service, June 16, 1999 (hereafter Novastar), in view of Mennie et al (US Patent Pub. 2003/0081824) and IQue, Inc. (IQue hereafter, <http://www.ique.com/mergew.htm>).

Re. Claim 1, Novastar discloses a method for loan application and credit correction comprising:

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- completing an electronic loan application form on a loan application terminal, the loan application terminal connected to a loan application server (Page 1, Para 1, lines 2-4. the terminal and Server are inherent to the web site method);
- requesting a credit report via the loan application terminal (Page 1, Para. 2, line 2);
- receiving the credit report comprising credit references (Page 1, Para. 2, line 2);
- creating a loan package comprising the electronic loan form, the credit report, and the electronic copy of the supporting documents (Para. 3); and
- submitting the loan package electronically to a plurality of lenders (Inherent in Para's 1, 2 & 3);

further comprising:

- the borrower deciding to dispute a credit reference (Para. 3);
- the borrower designating electronically those credit references to be disputed (Para. 3);
- the borrower designating to the loan application server electronically the reason for disputing the credit reference (Para. 3); and
- the loan application server automatically generating a dispute communication relating to the credit reference (Inherent – Para. 3).

Novastar does not disclose

- assembling and scanning supporting documents from a borrower for a loan to create an electronic copy of the supporting documents;
- parsing the credit references in a user-configurable manner;

However, Mennie discloses the assembling and scanning of supporting documents from a borrower for a loan to create an electronic copy of the supporting documents (Mennie – Para. [0103]; and IQue discloses parsing the credit references in a user-configurable manner (Page 3).

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to have combined the disclosures of Novastar with those of Mennie and IQue

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for the purpose of establishing a more efficient automated method for electronic loan application and for correcting credit report errors.

Re. Claim 2, Novastar discloses the method for loan application and credit correction of claim 1 further comprising,

- receiving electronic offers from the plurality of lenders at the loan application terminal (Inherent, Para's 1&3); and
- electronically submitting the offers to the borrower for selection (Para. 3).

Re. Claim 4, Novastar discloses the method for loan application and credit correction of claim 1 further comprising:

- the loan application server adding any response to the dispute communications to the loan package (Inherent, Para. 3); and
- the server submitting the loan package to a plurality of lenders for review (Inherent, Para's 1&3).

3. Claim 5 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel et. al. (U.S. Patent 5,940,812) in view of IQue, Dykstra et al. (U.S. Patent 5,611,052), and Novastar.

Re. Claim 5, Tengel discloses requesting credit information from a plurality of credit bureaus and receiving credit information electronically from the plurality of credit bureaus (Col. 9 lines 1 - 10 and Fig. 2A - 206 & 208).

Tengel does not disclose parsing and configuring credit information or a credit dispute process. Dykstra discloses a loan application system comprising parsing the credit information into categories in a database (Col. 5, lines 39 - 49). The SMARTALX product of IQue discloses configuring the credit information in the database according to the user definable parameters of ique.com (Supra). It would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Tengel to include the parsing of IQue and the database of Dykstra to allow the credit report to be

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sorted and manipulated for easier viewing and to store the information in a manipulative format for later use.

Tengel does not disclose a credit dispute process.

Novastar discloses configuring the credit information in the database according to user definable parameters: the borrower deciding to dispute a credit reference; the borrower or broker designating electronically those credit references to be disputed; the borrower or broker designating electronically the reason for disputing the credit reference; and automatically generating a dispute communication relating to the credit reference.

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to have combined the disclosures of Tengal with those of Dykstra, ique.com and Novastar for the purpose of establishing a more efficient automated method for on line loan application and for correcting credit report errors.

Re. Claim 20, Tengal does not explicitly disclose the method of claim 5 further comprising the borrower or broker requesting credit information from a plurality of credit bureaus.

However, Novastar discloses the method comprising the borrower or broker requesting credit information from a plurality of credit bureaus.

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to have combined the disclosures of Tengal with those of Novastar for the purpose of establishing a more efficient automated method for on line loan application and for correcting credit report errors.

4. Claims 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novastar in view of Dykstra.

Re. Claim 6, Novastar discloses a system for loan application comprising:

- a loan application terminal comprising a loan application form to be completed by a borrower and further comprising an electronic request form for requesting credit bureau information about the borrower (Inherent, Para's 1-3);
- a network connected to the loan application terminal;

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- a loan application server connected to the loan application terminal over the network for receiving the loan application form and the request for credit information (Inherent, Para. 1);
- the server further comprising instructions for requesting the credit information electronically from the plurality of credit bureaus and receiving the credit information over the network (Para. 3, the server is inherent);
- the server further comprises instructions for permitting the borrower to identify credit references of interest (Inherent in Para. 3);
- the server further comprises instructions for allowing the borrower to designate those credit references that the borrower wishes to dispute (Inherent – Para. 3);
- the server further comprises instructions for presenting to the borrower options for explaining and disputing the inaccurate credit references, and for automatically generating a communication to an appropriate credit bureau based upon the dispute option selected by the borrower (Inherent – Para. 3); and
- the server further comprising instructions for assembling the loan application form together with the credit information to form a loan package and for submitting the loan package to a plurality of lenders over the network (Inherent, Para. 3).

Novastar does not explicitly disclose the server further comprising instructions for parsing the received credit information into a database and for displaying the parsed credit information according to user-definable parameters.

However, Dykstra discloses the server further comprising instructions for parsing the received credit information into a database and for displaying the parsed credit information according to user-definable parameters (Col. 5, lines 39-58).

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to have combined the disclosures of Novastar with those of Dykstra for the purpose of establishing an efficient, automated electronic loan application and for correcting credit report errors.

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Re. Claim 7, Novastar discloses the server comprises instructions for receiving offers from lenders desiring to lend money to the borrower and for conveying the offers from the lenders to the borrower (Inherent - Para. 3).

Re. Claim 8, Novastar's disclosures are discussed above. Novastar does not explicitly disclose parsing. Dykstra discloses a method comprising instructions for parsing the received credit information into a database and for displaying the parsed credit information according to user-definable parameters (Col. 5, lines 39 - 58). It would have been obvious to one skilled in the art at the time the invention was made to modify the disclosures of Novastar to include the parsing into the database of Dykstra to allow the data to be stored and manipulated into a desirable format for the future.

Re. Claim 9, Novastar discloses the system for loan application and credit correction of claim 6 wherein the server further comprises instructions for displaying to a borrower a narrative version of the received credit information (Inherent - Para. 3).

Re. Claim 10, Novastar discloses the system for loan application and credit correction of claim 6 wherein the network is the internet (Para. 1).

Re. Claim 11, Novastar does not explicitly disclose a wireless network. However, the kind or type of item is not a test of an inventive step. It would have been obvious to one skilled in the art to modify the system of Novastar to include a wireless network to permit access to the system by mobile users.

Re. Claim 12, Novastar does not explicitly disclose intranet. However, the kind or type of item is not a test of an inventive step. It would have been obvious to one skilled in the art to modify the system of Novastar to include an intranet to further permit greater access to the system.

5. Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel in view of Dykstra, IQue and Novastar.

Re. Claim 16, Tengel discloses a system for reviewing credit information comprising:

- a computer terminal comprising means to input a request for credit information about a borrower (Supra);
- a network connected to the computer terminal (Supra);

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- a server connected to the computer terminal over the network for receiving the request for credit information (Supra);
- the server further comprising instructions for requesting the credit information electronically from at least one credit bureau and receiving the credit information over the network (Supra);

Tengel does not disclose that the server further comprises instructions for parsing the received credit information into a database and for displaying the parsed credit information according to user-definable parameters. However, Dykstra discloses a server which comprises instructions for parsing the received credit information into a database and for displaying the parsed credit information according to user-definable parameters. Dykstra discloses a loan application system comprising parsing the credit information into categories in a database. The SMARTALX product of IQue discloses configuring the credit information in the database according to the user definable parameters of IQue. It would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Tengal to include the parsing of ique.com and the database of Dykstra to allow the credit report to be sorted and manipulated for easier viewing and to store the information in a manipulative format for later use.

Tengel does not disclose that

- the server further comprises instructions for permitting the borrower to identify credit references of interest;
- the server further comprises instructions for allowing the borrower to designate those credit references that the borrower wishes to dispute; and
- the server further comprises instructions for presenting to the borrower options for explaining and disputing the inaccurate credit references, and for automatically generating a communication to the credit bureau based upon the dispute option selected by the borrower.

However, Novastar discloses:

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- the server further comprises instructions for permitting the borrower to identify credit references of interest;
- the server further comprises instructions for allowing the borrower to designate those credit references that the borrower wishes to dispute; and
- the server further comprises instructions for presenting to the borrower options for explaining and disputing the inaccurate credit references, and for automatically generating a communication to the credit bureau based upon the dispute option selected by the borrower.

It would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Tengel to include the parsing of ique.com with the the credit dispute procedure of Novastar to allow the credit report to be sorted and manipulated for easier viewing, to help input the information for the completion of the application and to correct credit reports for better loan opportunities.

Re. Claim 17, Tengel discloses the system of claim 16 wherein the network is selected from the group consisting of the internet, a wireless network, and an intranet (Supra).

Re. Claim 18, the disclosures of Tengel are cited above. Tengel does not explicitly disclose the aspect of the system of claim 16 wherein the server further comprises instructions for parsing the received credit information into a database and for displaying the parsed credit information according to user-definable parameters. However, Dykstra discloses a system wherein the server further comprises instructions for parsing the received credit information into a database and for displaying the parsed credit information according to user-definable parameters. It would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Tengel to include the parsing system of Dykstra to allow the credit report to be sorted and manipulated for easier viewing, to help input the information for the completion of the application and to correct credit reports for better loan opportunities.

Re. Claim 19, Tengel discloses the system of claim 16 wherein the server further comprises instructions for displaying to a borrower a narrative version of the received credit information.

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6. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel and in view of Novastar.

Re. Claim 21, Tengel discloses a method for reviewing credit information comprising:

- a borrower or broker requesting credit information from at least one credit bureau; receiving credit information electronically from the at least one credit bureau;
- Tengel does not disclose a method wherein:
 - the borrower deciding to dispute a credit reference;
 - the borrower or broker designating electronically those credit references to be disputed;
 - the borrower or broker designating electronically the reason for disputing the credit reference; and
 - automatically generating a dispute communication relating to the credit reference.

However, Novastar discloses a method wherein:

- the borrower deciding to dispute a credit reference;
- the borrower or broker designating electronically those credit references to be disputed (Supra);
- the borrower or broker designating electronically the reason for disputing the credit reference; and
- for automatically generating a dispute communication relating to the credit reference.

It would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Tengel to include the credit dispute procedure of Novastar to help input credit information for the completion of the application and to correct credit reports for better loan opportunities.

Re. Claim 22, Tengel discloses a system for reviewing credit information comprising a computer terminal comprising means to input a request for credit information about a borrower, including a network connected to the computer terminal; a server connected

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to the computer terminal over the network for receiving the request for credit information; and the server further comprising instructions for requesting the credit information electronically from at least one credit bureau and receiving the credit information over the network.

Tengel does not explicitly disclose a system wherein the server further comprises instructions for allowing the borrower to designate those credit references that the borrower wishes to dispute; and the server further comprises instructions for presenting to the borrower options for explaining and disputing the inaccurate credit references, and for automatically generating a communication to the credit bureau based upon the dispute option selected by the borrower.

However, Novastar discloses a system wherein the server further comprises instructions for allowing the borrower to designate those credit references that the borrower wishes to dispute; and the server further comprises instructions for presenting to the borrower options for explaining and disputing the inaccurate credit references, and for automatically generating a communication to the credit bureau based upon the dispute option selected by the borrower.

It would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Tengal to include the credit dispute system of Novastar to help input credit information for the completion of the application and to correct credit reports for better loan opportunities.

Response to Arguments

Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is 703-305-6199. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Sough, can be reached on 703- 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington D.C. 20231

or faxed to:

(703)305-7687 [Official communications; including After Final communications
labeled "Box AF"]

(703) 746-8177 [Informal/Draft communications, labeled "PROPOSED" or
"DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2411 Crystal Drive,
Arlington, VA, 7th floor receptionist.

SEC

August 7, 2003


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